

Entered - 05/29/01 - sb
CL 01L0335 - GWENDOLYN BURNS

01- R-1019

CLAIM OF: TRAVELERS INSURANCE COMPANY
as subrogee of Ayanna Moore
P.O. Box 2954
Milwaukee, WI 53201-2954

For damages alleged to have been sustained as a result of a vehicular accident on March 19, 2001 at 166 East at Sylvan Road exit.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **TRAVELERS INSURANCE COMPANY as subrogee of AYANNA MOORE** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on March 19, 2001 at 166 East at Sylvan Road exit as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY:


ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

 DCA

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0335

Date: June 27, 2001

Claimant /Victim AYANNA MOORE
BY: (Atty) (Ins. Co.) TRAVELERS INSURANCE INDEMNITY COMPANY OF AMERICA
Address: 2653 Brookwood Drive, Atlanta, Georgia 30305
Subrogation: X Claim for Property damage \$ 2,809.93 Bodily Injury \$
Date of Notice: 5/29/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/19/01 Place: Highway 166 & Sylvan Road, SW exit
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Eddie L. Johnson Disciplinary Action: Verbal counseling & urinalysis test

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when it was struck by a city sanitation truck that made an "improper lane change". The city employee was cited for same.


INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved Offer rejected Compromise settlement X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager:  Concur/date 06-28-01
Committee Action: Council Action



PO BOX 2954
MILWAUKEE, WI 53201-2954
Phone: (800)624-6007
Fax: (262)827-1038

BURNS
05/29/01

De

May 8, 2001

ENTERED - 5-29-01 - SB
01L0335 - GWEN BURNS

City Of Atlanta
1150 North Ave, Nw
Atlanta, GA 30318

Our Client: Ayanna Moore
Date of Loss: 03/19/2001
Our File No.: LPH7182

Dear City Of Atlanta;

We are handling a claim for Ayanna Moore who sustained a loss on 03/19/2001.

Our investigation reveals that you may be legally responsible for this loss, and we look to you to satisfy this obligation.

We are requesting reimbursement in the amount of \$2809.93. This represents our payment of \$2559.93 and Ayanna Moore's deductible of \$250.00.

If you have insurance, please complete the attached form and return it to me. Please refer this letter to them immediately, requesting they contact our offices. Should you not have insurance, we expect payment from you directly. Please contact me to discuss repayment options.

Please call me immediately if you have any questions.

Sincerely,

Stephanie Buckner
Stephanie Buckner

THE TRAVELERS INDEMNITY COMPANY OF AMERICA
(262)797-2121

Enc. Insurance Questionnaire

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0335

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND 00/100
DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,
 I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,
 its officers and employees, including but not limited to Eddie Johnson from any and all **property damage claims**,
 demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account
 of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
 which occurred on or about the 19th day of March, 2001,
 at or near 166 East at Sylvan Road exit.

It is further understood and agreed that the payment of the above named sum is not to be considered as an
 admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
 undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
 servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
 agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

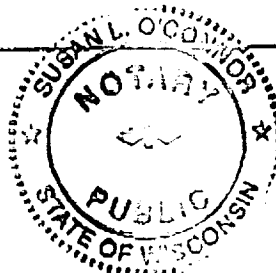
And I now state that the only consideration for my signing this release and indemnification is the payment
 of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
 said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
 instrument.

WITNESS my hand and seal this 19th day of June, 2001.

Travelers Insurance as Subrogee of Ayanne Moore
 TRAVELERS INSURANCE as subrogee of AYANNA
MOORE

The above release was read and explained to, and signed by the said _____

_____ in our presence on the date above written.



Susan L. O'Connor, Notary Public
 my commission expires 2/20/2005
Andrew Gottfried

WITNESSES

01- R-1019